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JUDICIAL BRANCH

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**Testimony of the Judicial Branch
Environment Committee Public Hearing
March 14, 2022**

**H.B. 5293, An Act Prohibiting the Use of Wild or Exotic
Animals in Traveling Animal Acts**

Thank you for the opportunity to submit written testimony on behalf of the Judicial Branch concerning **H.B. 5293, *An Act Prohibiting the Use of Wild or Exotic Animals in Traveling Animal Acts***. The Judicial Branch takes no position on the policies furthered by the bill. However, we do have a concern regarding implementation of the proposal as it is currently drafted.

The bill prohibits the use of exotic or wild animals in a traveling animal act. The proposal permits the Department of Energy and Environmental Protection to enforce the prohibition in accordance with C.G.S. section 26-55. Section 26-55 contains multiple penalties for violations under it, including a civil penalty for violating certain elements, a Class C misdemeanor for willful violation of such elements, and a separate section in which the penalty is an infraction. Regarding the specific language of the bill, it is not clear how the penalties in C.G.S. section 26-55 would apply to the prohibition. Is it a civil penalty? An infraction? Would a violation be deemed willful and thus classified as a Class C misdemeanor? Without more clarity, it will be impossible for the Judicial Branch to properly classify the violation under C.G.S. section 26-55.

Thank you for your time and attention to this matter.